

**Notice of Allowability**

Application No.

10/658,046

Examiner

Naresh Vig

Applicant(s)

MUNCASTER ET AL.

Art Unit

3629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 14 February 2006.
2. ☒ The allowed claim(s) is/are 9-11, 14-22 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

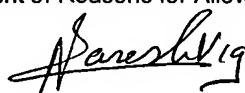
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



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## **DETAILED ACTION**

### ***DRAWINGS***

The drawings have been approved by the examiner.

### ***EXAMINER'S AMENDMENT***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was done following a telephone interview with Hisashi David Watanabe (Registration Number 37,465) on 24 November 2006.

After the examiner's amendment, Claim 24 will read as follows.

24. A method of marketing a real estate property comprising:  
providing an electronic lock box within a predetermined proximity of the real estate property for controlling access to the real estate property by releasing a mechanical or electronic key;

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receiving by the electronic lockbox information about the real estate property;  
storing the information about the real estate property in the electronic lockbox;  
receiving, by the electronic lock box, a query about the real estate property from  
a transmitting/receiving device; and

transmitting the information about the real estate property from the electronic lock  
box to the transmitting/receiving device in response to receiving the query, wherein the  
information about the real estate property includes at least one selected from the group  
comprising a price of the real estate property, a square footage of the real estate  
property, a virtual tour of the real estate property, a number of bedrooms within the real  
estate property and an availability of the real estate property.

### ***Reason for Allowance***

The following is an examiner's statement of reasons for allowance:

In claims 9, 22 and 24 applicant claims an electronic lockbox capable of  
marketing a real estate property. The an electronic lock has embedded a wireless  
communication system for wirelessly receiving, storing and communicating information  
about the real estate property and controlling access to the real estate property by  
providing a key to the real estate, the wireless communication system being capable of  
transmitting the information to a remote device in response to receiving a query for the

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Information from the remote device, wherein the information about the real estate property includes at least one selected from the group comprising a price of the real estate property, a square footage of the real estate property, a virtual tour of the real estate property, a number of bedrooms within the real estate property and an availability of the real estate property.

Prior art Henderson et al. teaches an electronic lockbox for controlling access to a real estate property by providing a key to the real estate property.

Henderson et al. does not teach lockbox having a wireless communication.

Prior art Deighton et al. teaches electronic lockbox with wireless communication for controlling access to a real estate property by providing a key to the real estate property.

Deighton et al. does not teach electronic lockbox capable of electronically receiving and storing information, and, in response to a query received from a transmitting/receiving device transmit the stored information about the real estate.

Prior art Piatek et al. teaches information that may be stored in a block of machine-readable data located in a nearby lockbox or that may be remotely transmitted to information receiver or some other receiver used with the system.

Piatek et al. does not teach lockbox to be an electronic lockbox which is capable of electronically receiving and storing information, and, in response to a query received

from a transmitting/receiving device transmit the stored information about the real estate.

Prior art Henderson et al. teaches comprehensive real estate lockbox system with capability to record all accesses to all lockboxes; transfer all or part of such records from the lockboxes to a supervising real estate agency or board; grant different keys different privileges.

Henderson et al. does not teach electronic lockbox capable of electronically receiving and storing information, and, in response to a query received from a transmitting/receiving device transmit the stored information about the real estate.

Barrett et al. (5,046,084) teaches an electronic real estate lockbox system includes a facsimile reporting capability. Numeric data detailing the location of a lockbox, dates and times of accesses to the lockbox, and the identities of the keyholders who accessed the lockbox, is transferred from the lockbox to a central computer.

Barrett et al. (5,046,084) does not teach does not teach electronic lockbox which is capable of electronically receiving and storing information about a real estate property, and, in response to a query received from a transmitting/receiving device transmit the stored information about the real estate.

Barrett et al. (5,654,696) teaches radio communication is employed to relay real estate listing and/or access information between a clearinghouse (a central computer used to administer the access control system) and an agent's palmtop (transmitting/receiving device).

Barrett et al. (5,654,696) does not teach does not teach electronic lockbox which is capable of electronically receiving and storing information about a real estate property, and, in response to a query received from a transmitting/receiving device transmit the stored information about the real estate.

Prior art Supra eKEY teaches an electronic lockbox having a wireless communication capability for controlling access to a real estate property by providing a key to the real estate property.

Supra eKEY does not teach does not teach electronic lockbox which is capable of electronically receiving and storing information about a real estate property, and, in response to a query received from a transmitting/receiving device transmit the stored information about the real estate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naresh Vig  
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March 4, 2006